

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:13-00074-01

MIRANDA WHITTAKER

MEMORANDUM OPINION AND ORDER

Pending before the court is defendant's letter form motion asking the court to reduce her sentence. (Doc. No. 48). The court may not modify a term of imprisonment once it has been imposed except in very limited circumstances, none of which are present here. See 18 U.S.C. § 3582(c); U.S. v. Hudson, 2002 WL 1980686 (10th Cir. 2002); U.S. v. Fraley, 988 F.2d 4 (4th Cir. 1993). Accordingly, defendant's motion to reduce sentence is DENIED.*

The Clerk is directed to send a copy of this Memorandum Opinion and Order to defendant, counsel of record, and the Probation Office of this court. Because of the confidential nature of the materials, the Clerk is also directed to SEAL the exhibits attached to Whittaker's motion.

It is SO ORDERED this 4th day of September, 2015.

ENTER:



David A. Faber

Senior United States District Judge

* Whittaker also asks the court to remove her gun enhancement. If she wishes to challenge the gun enhancement imposed at sentencing, she needs to file a Motion to Vacate under 28 U.S.C. § 2255.